

JUN 09 2005

Attorneys At Law

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603-225-4334 □ FAX 603-224-8350 □ www.haslaw.com

FACSIMILE TRANSMITTAL SHEET

FROM: Norma E. Henderson, Esq.

DATE: June 2, 2005

NUMBER OF PAGES TRANSMITTED
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TO: Mail Stop Petition

FIRM: U.S. Patent and Trademark Office

RE: Petition to Revive- Pat. App. Ser. No. 10/733,855

PHONE
NUMBER:

FAX
NUMBER: 703-872-9306

NOTES/COMMENTS:

Docket No. 056754/0124114

The following items are being sent herewith:

Petition for revival of an application for patent abandoned for failure to notify the office of a foreign or international filing (2 pages)

Rescission of Nonpublication Request (1 page)

Fee Transmittal (1 page- 2 copies)

1500 FLEET CENTER □ PROVIDENCE, RHODE ISLAND 02903-2393 □ 401-274-2000 □ FAX 401-277-9600
28 STATE STREET □ BOSTON, MASSACHUSETTS 02109-1775 □ 617 345-9000 □ FAX 617 345-9020
14 SOUTH STREET, 3RD FLOOR □ CONCORD, NEW HAMPSHIRE 03301 □ 603-225-4334 □ FAX 603-224-8350

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PTO/88/84a (09-04)

Approved for use through 07/31/2008. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN OR INTERNATIONAL FILING (37 CFR 1.137(f))	Docket Number (Optional) 058754/0124114
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First named inventor: Carr, Peter A.

Application No.: 10/733,855 Art Unit:

Filed: 12/10/2003 Examiner:

Title: Methods for high-fidelity production of long nucleic acid molecules with error control

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned pursuant to 35 U.S.C. 122 (b)(2)(B)(iii) for failure to timely notify the Office of the filing of the application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The date of abandonment is the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).

PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION
UNDER 37 CFR 1.137(b)

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,370.00 (37 CFR 1.17(m)).

2. Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c))

Subsequent to the filing of the above-identified application, an application was filed in another country, or under a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires publication of applications eighteen months after filing. The filing date of the subsequently filed foreign or international application is 12/10/2004.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-D100 and select option 2.

PTO/SB/64a (09-04)


Approved for use through 07/31/2006. OMB 0661-0031

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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STATEMENT: The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

<u></u> Signature	<u>June 2, 2005</u> Date
<u>Norma E. Henderson</u> Typed or printed name	<u>39219</u> Registration Number, if applicable
<u>43 North Main Street, 2nd floor</u> Address	<u>603-225-4334</u> Telephone Number
<u>Concord, NH 03301-4934</u> Address	

Enclosures: ☒ Fee Payment Transmittal
☐ Additional sheets containing statements establishing unintentional delay
☒ Other: Request to Rescind Nonpublication Request

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

[Page 2 of 2]

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0851-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2005</h2> <p style="font-size: small; margin: 5px 0;">Effective 10/01/2003. Patent fees are subject to annual revision.</p>		<p style="text-align: center; font-weight: bold; font-size: small;">Complete if Known</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Application Number</td><td>10/733,855</td></tr> <tr><td>Filing Date</td><td>12/10/2003</td></tr> <tr><td>First Named Inventor</td><td>Carr, Peter A.</td></tr> <tr><td>Examiner Name</td><td></td></tr> <tr><td>Art Unit</td><td></td></tr> <tr><td>Attorney Docket No.</td><td>056754/0124114</td></tr> </table>		Application Number	10/733,855	Filing Date	12/10/2003	First Named Inventor	Carr, Peter A.	Examiner Name		Art Unit		Attorney Docket No.	056754/0124114
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Art Unit															
Attorney Docket No.	056754/0124114														
<input type="checkbox"/> Applicant Claims small entity status. See 37 CFR 1.27															
TOTAL AMOUNT OF PAYMENT		\$1500.00													

<p>METHOD OF PAYMENT (check all that apply)</p> <p> <input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None </p> <p><input checked="" type="checkbox"/> Deposit Account</p> <p> Deposit Account Number: 502834 Deposit Account Name: Hinckley, Allen & Snyder LLP </p> <p>The Director is authorized to: (check all that apply)</p> <p> <input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account. </p>				<p>FEE CALCULATION (continued)</p> <p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,010</td><td>2255</td><td>1,005</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,500</td><td>2453</td><td>685</td><td>Petition to revive - unintentional</td><td>1500.00</td></tr> <tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>840</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr> <tr><td>1480</td><td>130</td><td>1480</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(a)</td><td></td></tr> <tr><td>1808</td><td>180</td><td>1808</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table>				Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - 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<p>SUBMITTED BY</p> <p>Name (Print/Type): Norma E. Henderson</p> <p>Signature: <i>Norma E. Henderson</i></p>		<p>Registration No. (Attorney/Agent): 39,219</p>		<p>Telephone: 603-225-4334</p> <p>Date: June 2, 2005</p>	
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FEE TRANSMITTAL for FY 2005

Effective 10/01/2003, Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT **\$1500.00**

Complete if Known

Application Number **10/733,855**
 Filing Date **12/10/2003**
 First Named Inventor **Carr, Peter A.**
 Examiner Name
 Art Unit
 Attorney/Agent No. **056754/0124114**

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account

Deposit Account Number **502834**
 Deposit Account Name **Hinckley, Allen & Snyder LLP**

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee

to the above identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1001	770	2001 385 Utility filing fee	
		1002	340	2002 170 Design filing fee	
		1003	530	2003 265 Plant filing fee	
		1004	770	2004 385 Reissue filing fee	
		1005	160	2005 80 Provisional filing fee	

SUBTOTAL (1) **(\$0.00)**

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
15	0	0	0.00
3	0	0	0.00
Multiple Dependent			0.00

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
		1202	18	2202 9 Claims in excess of 20
		1201	88	2201 43 Independent claims in excess of 3
		1203	280	2203 145 Multiple dependent claim, if not paid
		1204	88	2204 43 Reissue independent claims over original patent
		1205	18	2205 9 Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) **(\$0.00)**

** or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2151	65	Surcharge - late filing fee or oath	
1052	60	2152	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1153	130	Non-English specification	
1812	2,520	1112	2,520	For filing a request for ex parte reexamination	
1804	920*	1104	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1105	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2151	65	Extension for reply within first month	
1252	420	2152	210	Extension for reply within second month	
1253	950	2153	475	Extension for reply within third month	
1254	1,480	2154	740	Extension for reply within fourth month	
1255	2,010	2155	1,005	Extension for reply within fifth month	
1401	330	2101	165	Notice of Appeal	
1402	330	2102	165	Filing a brief in support of an appeal	
1403	290	2103	145	Request for oral hearing	
1451	1,510	1151	1,510	Petition to institute a public use proceeding	
1452	110	2152	65	Petition to revive - unavoidable	
1453	1,500	2153	665	Petition to revive - unintentional	
1501	1,330	2101	665	Utility issue fee (or reissue)	1600.00
1502	480	2102	240	Design issue fee	
1503	640	2103	320	Plant issue fee	
1460	130	1160	130	Petitions to the Commissioner	
1807	50	1107	50	Processing fee under 37 CFR 1.17(g)	
1808	180	1108	180	Submission of Information Disclosure Sheet	
8021	40	8121	40	Recording each patent assignment per property (times number of properties)	
1809	770	2109	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2110	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2101	385	Request for Continued Examination (RCE)	
1802	600	1102	600	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3) (\$1600.00)					

SUBMITTED BY

Name (Print/Type) **Norma E. Henderson** Registration No. (Attorney/Agent) **39,219** Telephone **603-225-4334**
 Signature *Norma E. Henderson* Date **June 2, 2005**

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NOTES/COMMENTS:

Docket No. 036754/0124114

The following items are being sent herewith:

- Position for revival of an application for patent abandoned for failure to notify the office of a foreign or international filing (2 pages)
- Requestion of Examination Request (1 page)
- Fee Transmittal (1 page- 2 copies)

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